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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. Fl. 2659—S. R. 94-08-6, dated 23rd November 1910.

In exercise of the powers conferred by Section 4 of the Mysore Excise Regulation, V of 1901, as amended from time to time, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to invest the Officer in charge of the Kolar Gold Fields Patrol Party with power to perform the acts and duties mentioned in Sections 40 to 53, inclusive, of the said Regulation.

No. J. 1584—Pris. 39-09, dated 25th November 1910.

Under Section 54 of the Prisons Act of 1870, the Government of His Highness the Maharaja of Mysore are pleased to direct that the following be added as Rule 2 A after Rule 2 in the set of Rules regarding the calculation of the date of release of prisoners, issued under Government Order No. 12994-5—J. 1601, dated 15th May 1899.

“2 A. When a prisoner is undergoing more than one sentence and the first sentence is annulled on appeal, the second sentence shall take effect from its own date.

Illustration 1.—A prisoner is sentenced on the 1st July to two periods of six months' imprisonment for two offences. On appeal the first sentence is quashed on the 31st August. The prisoner will be entitled to release on the 31st December.

Illustration 2.—A prisoner is sentenced on the 1st July to six months' imprisonment and on the 1st August to another period of six months' imprisonment. On appeal the first sentence is quashed on the 31st August. The prisoner will be entitled to release on the 31st January.”

By Order,

C. S. BALASUNDARAM IYER,

Officiating Secretary to Government, General
and Revenue Departments.

No. 202—L. C., dated 28th November 1910.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill is published for general information together with a statement of Objects and Reasons:

By Order,

S. HIRIYANNAIYA,

Secy., Mysore Legislative Council.

A Bill to provide for the prevention of smoking by juveniles.

Whereas it is expedient to provide for the prevention of smoking by youthful persons in Mysore; His Highness the Maharaja is pleased to enact as follows:—

Preamble.

Short title.

Extent and commencement.

1. (1) This Regulation shall be called "The Mysore Prevention of Juvenile Smoking Regulation."

(2) It shall extend to the whole of Mysore and

(3) It shall come into force from

Interpretation.

2. In this Regulation unless there is something repugnant in the subject or context:—

Police Officer.

"Police Officer" shall mean a member of the Regular Police Force appointed under the Mysore Police Regulation, 1908, as well as a member of the Village Police Force appointed under the Rules for the organisation and regulation of the Village Police for the time being in force.

Tobacco.

"Tobacco" shall mean tobacco cut or uncut and includes any preparation or mixture of tobacco with other substances for the purpose of smoking or chewing or taking in as snuff.

Penalty on selling tobacco to youthful persons.

3. If any person sells to a person apparently under the age of sixteen years, except on the written order of the parent, guardian or employer of such last-named person, any cigars, cigarettes, tobacco or cigarette papers, he shall be liable, on conviction before a Magistrate, in the case of a first offence, to a fine not exceeding twenty rupees, and in the case of second offence, to a fine not exceeding fifty rupees, and in the case of a third and every subsequent conviction, to a fine not exceeding one hundred rupees.

Seizure of tobacco.

4. It shall be the duty of a Police Officer to seize any cigars, cigarettes, tobacco or cigarette papers, in the possession of any person apparently under the age of sixteen whom he finds smoking, or chewing or taking in as snuff, tobacco in any street or public place.

Tobacco seized how dealt with.

5. The articles seized under the last preceding section together with the person from whom they were seized shall be forthwith taken to the nearest Police Station, and the Officer in charge of such Police Station shall take down the name and address of the person's parent or guardian and ascertain if he is a pupil of any public school.

Notice to be given after seizure.

6. The said Police Officer shall then send a notice of such seizure to the parent or guardian and to the Head Master of the School.

Person found with tobacco how dealt with.

7. The person who had the articles in his possession shall be set free, except in the case of a seizure after the lapse of three months from the date of the issue of any notice under the last preceding section, in which case, he may be sent in custody before the nearest Magistrate.

8. When a person under sixteen years of age is produced before a Magistrate under the last preceding section, such Magistrate may either discharge him with a warning or inflict on him a fine not exceeding one rupee or order him to receive six stripes in the way of school discipline.

9. Any sentence of whipping passed under this Regulation shall be administered privately in the presence of the Magistrate.

STATEMENT OF OBJECTS AND REASONS.

A representation having been made in the Representative Assembly of 1907 on the desirability of passing a law to prevent the growing evil of juvenile smoking in the State, the Government considered it sufficient then to direct the Inspector-General of Education to issue suitable instructions to the Heads of Schools and Colleges that smoking by the boys whether in or out of school should be viewed as a misconduct deserving of punishment.

The Government are inclined to think that this measure does not adequately meet the evil and they consider that some action should also be taken against the persons who sell tobacco to young boys. With this object a short Bill has been drawn up on the lines of the Ceylon Ordinance of 1909.

The Bill makes it penal for any person to sell tobacco in any form to young men apparently under the age of 16 years and empowers the Police Officers to seize tobacco found in the possession of such young men (clauses 3 and 4). The fact of seizure is to be intimated by the Police to the parent or guardian of the boy or to the Head Master of the School of which he is a pupil.

The boy shall not be liable to punishment for a first offence, but if he repeats it after a lapse of three months he may be sent in custody to the nearest Magistrate who might either discharge him with a warning or inflict a fine not exceeding one rupee or order him to receive six stripes by way of school discipline.